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PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: Examiner: M. Koval  
ATSUSHI OKUYAMA, ET AL. )  
: Group Art Unit: 2851  
Application No.: 09/842,124 )  
: Filed: April 26, 2001 )  
: For: IMAGE DISPLAY APPARATUS ) August 29, 2002  
AND OPTICAL SYSTEM )

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO ELECTION REQUIREMENT

Sir:

Applicants respectfully request reconsideration and withdrawal of the election requirement set forth in the Office Action of July 31, 2002.

A careful review of the specification reveals that the various embodiments of Applicants invention are closely to related and would not require such a divergent search so as to overburden the Examiner. Accordingly, neither the Applicants nor the Patent and Trademark Office should be put to the trouble and expense entailed in multiple filing and prosecution. Moreover, it is respectfully submitted that the public at large should not be required to obtain and study several separate patent documents in order to have available all of the issued patent claims covering the invention. The making of an election of species is not mandatory in all instances

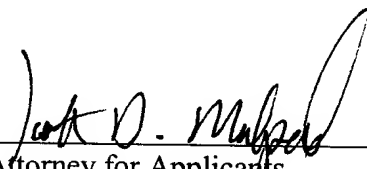
where it is possible to do so. Rather, the Examiner may use discretion and choose not make an election of species where circumstances warrant. It is believed that such is the case in the instant application.

Nevertheless, pursuant to the provisions of MPEP § 809.2(a), Applicants hereby elect to prosecute the invention of Embodiment I, Figures 1 through 4. It is submitted that Claims 1-4, 7-13, and 15-20 read on the elected embodiment.

Due consideration and prompt passage to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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